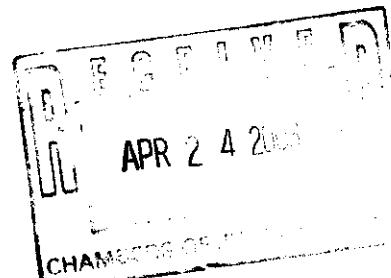


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U.S. DISTRICT COURT E.D.N.Y.

★ APR 27 2006 ★



RICHARD A. BROWN
DISTRICT ATTORNEY

Honorable John Gleeson
United States District Court Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

BROOKLYN OFFICE

April 21, 2006

An affirmation from Mr. Maltz should be filed. It should address the reasons, if any, no use was made of the Sprint Report, ~~at i.e.~~, why petitioner chose to plead guilty despite it. It shall be filed before the May 2 hearing.

Re: Michael King v. Robert Dennison
CV-05-3247 (JG)

s/John Gleeson

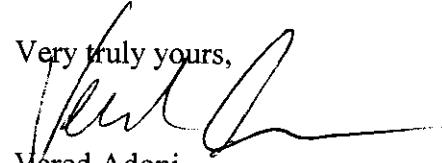
vsoj

4-24-06

Dear Judge Gleeson:

I am writing to inform the Court that I have acquired new information that might well obviate the need for a hearing in this case. Initially, as I have indicated to the Court in my April 4, 2006 letter, my investigation revealed that no 911 tape was ever received by the State, and, thus, no disclosure violation could have occurred with regard to any tape. More important, I have contacted the defense attorneys, who were in charge of the defense in this case, and asked them to review their files. Judah Maltz, Esq., who represented petitioner from October, 2001, until petitioner pleaded guilty on March 5, 2002, retrieved and reviewed petitioner's file and found in it a copy of the Sprint Report, which petitioner presently claims he did not possess until after he pleaded guilty. Attorney Maltz's records show that this claim is false. Under these circumstances, because the defense was in possession of this material before petitioner pleaded guilty, this Court's concerns regarding an alleged violation by the State of the Brady rule may well be rendered moot. Indeed, although the State is prepared to argue that the information contained in the Sprint Report is not Brady material that would have required disclosure, this argument is now moot because the defense was actually in possession of such material before petitioner voluntarily pleaded guilty. Should the Court request, the State is prepared to ask Mr. Maltz to file an affirmation.

Very truly yours,



Vered Adoni

Assistant District Attorney

(718) 286-5922

cc: Michael King
126-14 Francis Lewis Blvd.
Laurelton, NY 11413

MODE = MEMORY TRANSMISSION

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-JUDGE GLEESON

***** -FAX 310 V2.1B) - ***** 7182602457- *****

CHAMBERS OF THE HON. JOHN GLEESON
UNITED STATES DISTRICT COURT/EDNY
225 CADMAN PLAZA EAST
BROOKLYN, NY 11201
(718) 613-2450

Facsimile Transmission Cover Page

DATE: 4/24/06

FROM: Hon. John Gleeson

TO: ADA Vered Adoni

(718) 286-5820

There are 2 pages being transmitted, including this cover page.

COMMENTS:

PLEASE NOTE: The information contained in this facsimile is intended only for the use of the individual(s) named above and others who have been specifically authorized to receive such. If you have received this communication in error, please notify Chambers by telephone at (718) 613-2450. Thank you.